

**INFORMATION  
DISCLOSURE  
STATEMENT**

SHEET 1 OF 5

*Complete if known*

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta, et al.

Group Art Unit: 3735

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

**UNITED STATES PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

**FOREIGN PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT

**OTHER CITATIONS - NON-PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Reply Brief to Claim Construction dated April 18, 2005
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Responsive Claim Construction Brief dated March 28, 2005
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela AG and Medela, Inc.'s Response on Claim Construction dated March 28, 2005
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Bluesky Medical Group Incorporated's Opposition Markman Brief Regarding U.S. Patent Nos. 4,969,880 and 5,636,643
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Markman Presentation of May 12, 2005
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Blue Sky Medical Corp.'s Markman Presentation dated May 12, 2005

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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Letter Brief from BlueSky Medical dated May 31, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs First Letter Brief from Markman hearing dated May 26, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Second Letter Brief from Markman hearing dated May 31, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcription of Videotaped Deposition of Louis C. Argenta, M.D., April 29, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcription of Videotaped Deposition of Michael Allan Batalia, Ph.D., January 12, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcription of Videotaped Deposition of Michael John Morykwas, Ph.D., January 13, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Medela AG and Medela Inc.'s Motion for Leave to Amend Designation of Expert Witnesses dated May 18, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Answer to Defendant Bluesky Medical Group Incorporated's Crossclaim dated June 1, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Answer to Defendant Richard Weston's Counterclaim dated June 1, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Answer to Defendant Medela Inc.'s Amended Counterclaims dated June 1, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Answer to Defendant Medela AG's Amended Counterclaims dated June 1, 2005

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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela, Inc. and Medela AG's Reply in Support of Motion for Leave to File Amended Answers to Third Amended Complaint, Additional Defenses, Second Amended Counterclaims and Jury Demands dated June 1, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Opposition to Medela AG and Medela, Inc.'s Motion for Leave to Amend Designation of Expert Witnesses and Request for Hearing dated June 1, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Objections and Answers to Medela, Inc.'s Subpoena in a Civil Case and Deposition on Written Questions to Dr. Joseph Molnar and Dr. Lawrence Webb dated February 24, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Adopting Stipulations of Parties Regarding Claim Term Construction dated May 12, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Construing Patent '643 Claim Terms dated June 28, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Fourth Amended Complaint dated June 30, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Shelly Taylor dated November 23, 2004
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Michael Miller, D.O. dated March 8, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela AG's First Supplemental Response to Plaintiff's First Interrogatories to Defendant Medela AG dated July 13, 2005

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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela Inc.'s First Supplemental Response to Plaintiff's First Interrogatories to Defendant Medela, Inc. dated August 16, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Matthew C. Dairman, February 3, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Ronald C. Hamaker, May 26, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Mordechai Twena, January 26, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Preliminary Proposed Constructions of Newly Asserted Claims from the '643 and '081 Patents dated September 12, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '643 Patent, including Declaration of Wilson C. Hayes in Support Thereof including Exhibits
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiff's Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '680 Patent, including Declaration of Wilson C. Hayes in Support Thereof including Exhibits
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Answer to Fourth Amended Complaint, Additional Defenses, Third Amended Counterclaims and Jury Demand of Defendant Medela AG, July 18, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Answer to Fourth Amended Complaint, Additional Defenses, Third Amended Counterclaims and Jury Demand of Defendant Medela, Inc., July 18, 2005
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Mark Chariker dated May 6, 2006

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Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of David S. Zamierowski dated February 15, 2005

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Harriet W. Hopf dated May 10, 2005, along with Supplemental Expert Report with Exhibits dated May 25, 2005

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Susan Mendez-Eastman dated January 7, 2004

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Jose Diaz dated November 26, 2004

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Jeffrey Niezgoda dated November 23, 2004

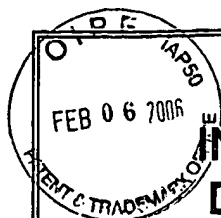
Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Kathleen Satterfield dated November 29, 2004

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Exhibits 281-288 of previously submitted Transcription of Deposition of Michael John Morykwas, Ph.D., dated January 13, 2005

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**UNITED STATES PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
JL		4,841,962	6/27/1989	Berg, et al.
		4,753,231	06/28/1988	Lang, et al.
		4,452,845	06/05/1984	Lloyd, et al.
		4,860,737	08/29/1989	Lang, et al.
		3,938,540	02/17/1976	Holbrook, et al.
		4,459,139	07/10/1984	vonReis, et al.
		3,713,622	01/30/1973	Dinger
JL		4,627,427	12/09/1986	Arco

**FOREIGN PATENT DOCUMENTS**

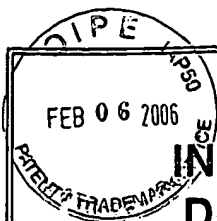
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
JL		0688189 B2	EP	06/01/2005	Argenta, et al.

**OTHER CITATIONS - NON-PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Healing of Full Thickness Defects in Swine
		Opposition EP to 0,620,720, Summons to Oral Proceedings Appeal dated December 21, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Letter to Honorable Royal Furgeson dated January 3, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Letter to Honorable Royal Furgeson dated January 3, 2006.

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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Reply Claim Construction Brief with Exhibits dated November 11, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Surreply Further Opposing Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motions for Summary Judgment on the '643 and '880 Patents with Exhibits dated October 14, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '880 Patent with Exhibits dated September 12, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's First Amended Crossclaims and Answer to Plaintiffs' Fourth Amended Complaint, Counterclaims, and Joinder of Wake Forest University dated November 15, 2005.
JL		Webster, J.G., "Prevention of Pressure Sores", © IOP Publishing Ltd 1991, The Adam Hilger Series on Biomedical Engineering, pp. 199-223.
JL		Garcia-Velasco, M., et al., "Compression Treatment of Hypertrophic Scars in Burned Children", The Canadian Journal of Surgery, V.21, No. 5, September 1978, pp. 450-452.
JL		Rose, M.P., et al., "The Clinical Use Of A Tubular Compression Bandage, Tubigrip, for Burn-Scar Therapy: A Critical Analysis", Burns (1985) 12, 58-64.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's Objections and Responses to Plaintiffs' Fifth Request for Production dated December 9, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants' Response Brief Regarding Second Claim Construction Hearing ('081 Patent and Certain Claims of the '643 Patent) with Exhibits dated October 25, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Medela, Inc.'s Objections and Responses to Plaintiffs' Sixth Request for Production of Documents dated December 9, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's First Amended Crossclaim and Answer to Plaintiffs' Fourth Amended Complaint, Counterclaims, and Joinder of Wake Forest University dated November 15, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Responsive Claim Construction Brief on the Disputed Claim Terms from the '6443 and '081 Patents with Exhibits dated October 25, 2005.

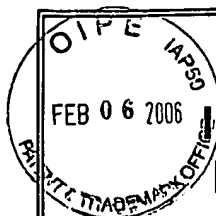
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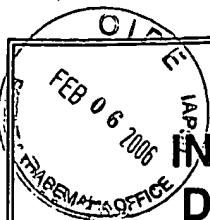
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Markman Hearing Medela Presentation, pp. 1-78.
		Opposition EP to 0,618,189 New European Patent Specification EP 0688189B2.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Supplemental Expert Report of Wilson C. Hayes, Ph.D. Concerning Infringement of Newly Asserted Claims of U.S. Patent Nos. 5,636,943 and 5,645,081 dated December 19, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Dennis P. Orgill, M.D., Ph.D. with Exhibits dated December 29, 2005.
		Opposition EP to 0,618,189 Decision to Maintain the European Patent in Amended Form (Article 102(3) EPC) dated April 22, 2005, 1 page.
		Opposition EP to 0,618,189 Letter relating to Appeal Procedure dated March 5, 2004, 10 pages.
		Opposition EP to 0,618,189 Letter relating to Appeal Procedure dated June 27, 2003.
		Opposition EP to 0,618,189 Interlocutory Decision in Opposition Proceedings with Grounds for the Decision dated February 17, 2003.
		Opposition EP to 0,618,189 Minutes of the Oral Proceedings, Documents for the Maintenance of the Patent as Amended, Annex to the Communication dated February 17, 2003.
		Opposition EP to 0,618,189 Letter Pursuant to Rule 71a EPC and all Other Letter during Oral Proceedings dated November 11, 2002.
		Opposition EP to 0,618,189 Reply of the Patent Proprietor to the Notice(s) of Opposition dated March 15, 2002.
		Opposition EP to 0,618,189 Notice of Opposition dated June 12, 2001.
JL		Murray, Y., "Tradition Rather Than Cure", Wound Care, Nursing Times, September 21, Vol. 94, No. 38, 1988 (with German translation).
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Response to Claim Construction Reply Letter dated January 6, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Medela Claim Construction Letter dated January 5, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Harriet W. Hopf, M.D. on New Claims dated January 4, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Lydia Razran Stone, Ph.D. dated December 29, 2005 with CV.

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	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcript Deposition of Michael John Morykwas dated December 6, 2005 with Exhibits.</del>
JL	SPURLOCK, Gareth, "The Management of Open Joint Injuries", Wound Management, Veterinary Clinics of North American Equine Practice, Vol. 5, No. 3, December 1989.
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	WAYMACK, J.P., et al., "An Evaluation of Aquaphor Gauze Dressing in Burned Children", Burns (1986) 12, 443-448.
JL	WINTER, George D., "Epidermal Wound Healing Under a New Polyurethane Foam Dressing (Lyfoam)", Plastic & Reconstructive Surgery, November 1975, Vo. 56, No. 5, pp. 531-537.
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition Transcript of Doris Ritter-Wiegand with Exhibits dated December 15, 2005.</del>
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcript of Videotaped Deposition of Katherine Jeter with Exhibits dated November 29, 2005.</del>
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Supplemental Expert Report of Mark Chariker, M.D. dated December 19, 2005.</del>
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Vincent B. Pizziconi, Ph.D. with Exhibits dated December 23, 2005.</del>
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Amended Order Construing Patent '643 Claims Terms dated January 25, 2006.</del>
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Construing Patents '643 and '681 Claim Terms dated January 24, 2006.</del>
	<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Michael A. O'Neil dated January 4, 2006.</del>

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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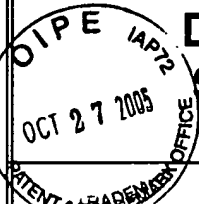
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 <b>INFORMATION DISCLOSURE STATEMENT</b>	<b>Complete if known</b>	
	Application Number: 09/026,353	
	Filing Date: February 19, 1998	
	First Named Inventor: Agrenta, et al.	
	Group Art Unit: 3736	
Examiner Name: Lacyk, J.		
SHEET 5 OF 5		Attorney Docket Number: 0101-P00636US3

		<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. 0A-03-0A-0032-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Partial Transcript of Videotaped Deposition James Spain dated May 4, 2005.</del>
JL		THOMAS, S., et al., "Comparative Review of the Properties of Six Semipermeable Film Dressings", The Pharmaceutical Journal, June 18, 1988, pp. 785-789.
JL		BAKER, B., "Abundance of Web Sites on Wound Care Management", Family Practice News, March 1, 2000, pp. 52.
JL		COSKER, T., et al., "Choice of Dressing Has a Major Impact on Blistering and Healing Outcomes in Orthopaedic Patients", Journal of Wound Care, Vo. 14, No. 1, January 2005, pp. 27-29.
		<del>TOWNSEND, P.L.G., "The Quest For A Cheap and Painless Donor-Site Dressing", Burns, 2, pp. 82-85.</del>
		<del>LANGWORTHY, M., et al., "Treatment of the Mangled Lower Extremity After a Terrorist Blast Injury", Clinical Orthopaedics and Related Research, Number 422, pp. 88-96.</del>
		<del>PARK, G.B., et al., "The Design and Evaluation of a Burn Wound Covering", Supplied by The British Library - "The Word's Knowledge", pp. 11-15.</del>
		<del>ACU-derm® Transparent Moisture Vapor Permeable Polyurethane Dressing, pp. 1-13.</del>
		<del>3M Ioban 2, Breathability, Conformability and Strength, Breathability - Moisture Vapor Transmission Rate and Conformability and Strength - Tensile Strength, Elongation and Fn Modulus Test (1 page).</del>
		<del>smith&amp;nephew website printout, Wound Management, FAQs.</del>
		<del>"Moist Wound Dressings" from Physicians Instruction Book for Moist Wound Healing.</del>

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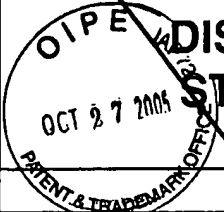
UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
JL		2025492	11/09/1934	Aird
JL		3115318	08/21/1959	Caillette
JL		3572340	01/11/1968	Lloyd, et al.
JL		3978855	09/07/1976	McRae, et al.

FOREIGN PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT

OTHER CITATIONS - NON-PATENT DOCUMENTS		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Valery Gilevich (not dated).
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela, Inc., and Medela AG's Motion for Entry of Amended Protective Order with Exhibits dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Videotaped Deposition transcript of Carr Lane Quackenbush dated October 6, 2004.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Medela AG's Answers to Plaintiffs' Second Interrogatories dated October 7, 2005.

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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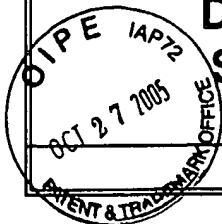
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	Group Art Unit: 3736	
	Examiner Name: Lacyk, J.	
SHEET 2 OF 5		Attorney Docket Number: 0101-P00636US3

		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela AG's Affidavit of Mitchell D. Lukin Pursuant to Local Rule CV-33(a) dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Medela AG's Response to Plaintiffs' Second Request for Production of Documents dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Medela AG's Response to Plaintiffs' Third Request for Production of Documents dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Medela, Inc.'s Response to Plaintiffs' Second Request for Production of Documents dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opening Brief on Claim Construction of Disputed Claim Terms From the '643 and '081 Patents with Exhibits dated October 6, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela, Inc.'s Second Set of Interrogatories To Wake Forest University Health Sciences dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela, Inc.'s Eighth Set of Requests For Production To Plaintiffs Kinetic Concepts, Inc., KCI Licensing, Inc., KCI USA, Inc., and Wake Forest University Health Sciences dated October 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Granting Joint Motion to Extend Deadlines dated September 30, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., BlueSky Medical Group Inc.'s Additional Supplemental Discovery Production with Bates Labels and Cover Letter dated September 30, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Joint Motion for Entry of Order Adopting the Parties' Stipulated Claim Term Constructions dated October 6, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Adopting the Parties' Stipulated Claim Term Constructions.

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# INFORMATION DISCLOSURE STATEMENT



SHEET 3 OF 5

*Complete if known*

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

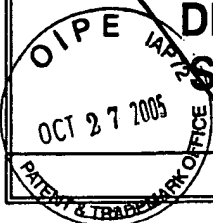
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., BlueSky Medical Negative Pressure Wound Care with Versatile 1 Presentation Presented by Penny Campbell and Shelly Burdette-Taylor.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky Medical Group Inc. and Richard Weston's Reply to Plaintiffs Opposition to Defendant Bluesky Medical Group Inc. and Richard Weston's Motions for Partial Summary Judgment dated September 28, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Granting Plaintiffs' Unopposed Motion to Supplement The Record for its response to Bluesky's Motion for Partial Summary Judgment dated October 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Granting Medela, Inc. And Medela AG's Unopposed Motion to Extend Deadlines for Markman Briefing dated October 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Unopposed Motion to Supplement the Record in Support of Their Response to Bluesky's Motion For Partial Summary Judgment on Counts Twelve, Thirteen, and Fifteen dated October 10, 2005.
JL		Barillo, D., et al., "Management of Burns to the Hand", Wounds 15,(1):4-9, 2003 Health Management Publications, Inc., Posted 02/12/2003.
JL		Medical Technology & Innovation, "Medical Technology is Extending Life, Reducing Costs", Vol 1, Issue 46, December 4, 2000.
		Wu, Lisa C., et al., "Vacuum-Assisted Closure for the Treatment of Sternal Wounds: The Bridge Between Debridement and Definitive Closure", printout from <a href="http://www.plasticsurgery.org">www.plasticsurgery.org</a> , 3 pages.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Joint Claim Construction and Prehearing Statement dated September 16, 2005.
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		Bertone, A, "Management of Exuberant Granulation Tissue", Wound Management, pp. 550-562 (no date).
		Taber's Cyclopedic Medical Dictionary, Edition 18, pps, 937, 942 and 1375.
		Harris, Ann, et al., "Hypergranulation Tissue: a Nontraumatic Method of Management", Ostomy/Wound Management, Vol.40, No. 5, June 1994.

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# **INFORMATION DISCLOSURE STATEMENT**



SHEET 4 OF 5

## **Complete if known**

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

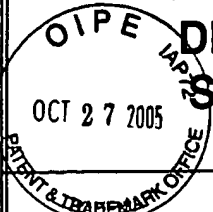
Attorney Docket Number: 0101-P00636US3

	Opposition EP to 0620720, Patentee Response to Grounds of Appeal Filed by Opponent, Paul Hartmann AG, with Exhibits dated April 25, 2005.
	Opposition EP to 0620720, Opponents Response to Grounds of Appeal Filed by Patentee, dated April 25, 2005.
	Opposition EP to 0620720, Patentees' Grounds of Appeal, dated September 29, 2004.
	Opposition EP to 0620720, Third-Party Communication dated February 15, 2005 ( <i>R.G.C. Jenkins &amp; Co.</i> )
	Opposition EP to 0620720, Interlocutory Decision dated May 19, 2004.
	Opposition EP to 0620720, Communication of Patentee dated November 25, 2003.
	Opposition EP to 0620720, Third-Party Communication dated November 12, 2003 ( <i>R.G.C. Jenkins &amp; Co.</i> )
	Opposition EP to 0620720, Third-Party Communication dated August 14, 2003. ( <i>R.G.C. Jenkins &amp; Co.</i> )
	Opposition EP to 0620720, Communication of Patentee dated November 9, 2003.
	Webster's New Universal Unabridged Dictionary Deluxe Second Edition, page 631.
	Opposition EP to 0620720, Communication of Opponent Mondomed dated August 8, 2001. ( <i>Margot Muller-Gerbes</i> )
	Opposition EP to 0620720, Communication of Opponent Mondomed dated May 3, 2001. ( <i>Margot Muller-Gerbes</i> )
	Opposition EP to 0620720, Communication of Patentee dated September 22, 2000.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '643 Patent with Exhibits dated August 10, 2005..
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '880 Patent with Exhibits dated August 10, 2005.
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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Surreply Further Opposing Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motions for Summary Judgment on the '643 and '880 Patents with Exhibits dated October 14, 2005.
	Chariker-Jeter Technique Tutorial by Penny E. Campbell, Wound Care Solutions, 1 page tutorial chart.

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	Group Art Unit: 3736	
	Examiner Name: Lacyk, J.	
SHEET 5 OF 5		Attorney Docket Number: 0101-P00636US3

		<del>Bluesky Medical, Negative Pressure Wound Therapy, Product Catalog Fall 2005, "Finally a choice..." 8 pages.</del>
JL		Chariker-Jeter Status Link from the website <a href="http://www.trademark.com/cbi-bin/tmlist">www.trademark.com/cbi-bin/tmlist</a> , October 14, 2005, 1 page.
JL		Bluesky Medical Support, printout of webpages <a href="http://www.woundvacuum.com/Standard%20Pages/support.htm">www.woundvacuum.com/Standard%20Pages/support.htm</a> , October 11, 2005, pages 1-3.
		<del>Promotional Slide Presentation by Penny Campbell 27 pages.</del>

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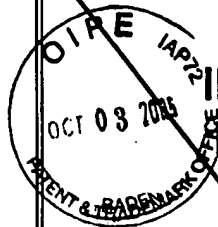
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Mark Chariker dated May 6, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of David S. Zamierowski dated February 15, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Harriet W. Hopf dated May 10, 2005, along with Supplemental Expert Report with Exhibits dated May 25, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Susan Mendez-Eastman dated January 7, 2004.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Jose Diaz dated November 26, 2004.

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Examiner Name: Lacyk, J.

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Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Jeffrey Niezgoda dated November 23, 2004.


Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report with Exhibits of Kathleen Satterfield dated November 29, 2004.

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Exhibits 281-288 of previously submitted Transcription of Deposition of Michael John Morykwas, PhD. dated January 13, 2005.

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JL		6,551,317	04/22/2003	Berish, et al.
JL		4,860,737	08/29/1989	Lang, et al.
JL		4,875,473	10/24/1989	Alvarez
JL		RE31,887	05/14/1985	Hodgson

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EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C1	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Shelly Taylor dated November 23, 2004.
	C2	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Michael Miller, D.O. dated March 8, 2005.
	C3	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela AG's First Supplemental Response to Plaintiffs' First Interrogatories To Defendant Medela AG dated July 13, 2005.
	C4	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela Inc.'s First Supplemental Response to Plaintiffs' First Interrogatories To Defendant Medela, Inc. dated August 16, 2005.

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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# INFORMATION DISCLOSURE STATEMENT

*Complete if known*

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

SHEET 2 OF 2

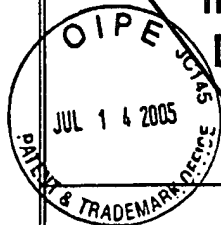
Attorney Docket Number: 0101-P00636US3

C5	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Matthew C. Dairman, February 3, 2005.
C6	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Ronald C. Hamaker, May 26, 2005.
C7	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition transcript with Exhibits of Mordechai Twena, January 25, 2005.
C8	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Preliminary Proposed Constructions of Newly Asserted Claims From the '643 and '081 Patents dated September 12, 2005.
C9	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '643 Patent, including Declaration of Wilson C. Hayes in Support Thereof including Exhibits.
C10	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '880 Patent, including Declaration of Wilson C. Hayes in Support Thereof including Exhibits.
C11	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Answer To Fourth Amended Complaint, Additional Defenses, Third Amended Counterclaims and Jury Demand of Defendant Medela AG, July 18, 2005.
C12	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Answer To Fourth Amended Complaint, Additional Defenses, Third Amended Counterclaims and Jury Demand of Defendant Medela, Inc., July 18, 2005.

EXAMINER'S  
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# INFORMATION DISCLOSURE STATEMENT

SHEET 1 OF 2

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

Attorney Docket Number: 0101-P00636US3

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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Ordering Adopting Stipulations of Parties Regarding Claim Term Construction dated May 12, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Construing Patent '643 Claim Terms dated June 28, 2005.
		Opposition EP to 0,620,720., Patentee's Response to Grounds of Appeal Filed By Opponent, Paul Hartmann AG dated April 25, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Fourth Amended Complaint dated June 30, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Kinetic Concepts, Inc.'s Supplemental Answers to Bluesky Medical Corporation's First Set of Interrogatories dated July 6, 2005.

EXAMINER'S SIGNATURE	DATE CONSIDERED

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# INFORMATION DISCLOSURE STATEMENT

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Application Number: 09/863,234

Filing Date: May 23, 2001

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: Lacyk

SHEET 2 OF 2

Attorney Docket Number: 0101 P00636US4

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., KCI Licensing, Inc.'s Supplemental Answers to Medela, Inc.'s First Set of Interrogatories dated July 6, 2005.

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Wake Forest University Health Sciences' Supplemental Answers to Medela Inc.'s First Set of Interrogatories dated July 6, 2005.

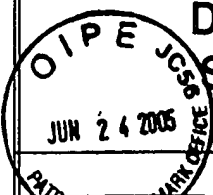
Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Amended Answer to Third Amended Complaint, Additional Defenses, Second Amended Counterclaims and Jury Demand of Medela, Inc. dated April 29, 2005.

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Answer to Third Amended Complaint, Additional Defenses, Amended Counterclaims and Jury Demand of Defendant Medela AG dated February 11, 2005.

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	Application Number: 09/026,353	
	Filing Date: February 19, 1998	
	First Named Inventor: Agrenta, et al.	
	Group Art Unit: 3736	
	Examiner Name: Lacyk, J.	
SHEET 1 OF 3		Attorney Docket Number: 0101-P00636US3

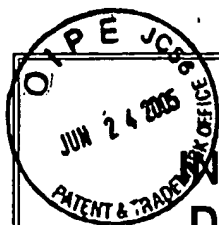
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JL		DAVIES, J.W.L., "Synthetic materials for covering burn wounds: Progress towards perfection. Part I. Short term dressing materials", Burns, 1983, Nov;10(2), 94-103.
		LAMKE, L.O., et al., "The evaporative water loss from burns and the water-vapour permeability of grafts and artificial membranes used in the treatment of burns", Burns, 3, 159-165, 1977.
		BARNETT, A., et al., "Comparison of Synthetic Adhesive Moisture Vapor Permeable and Fine Mesh Gauze Dressings for Split-Thickness Skin Graft Donor Sites", The American Journal of Surgery, Vol. 145, March 1983, pp. 379-381.
		ALPER, J., et. al., "Moist wound healing under a vapor permeable membrane", Journal of the American Academy of Dermatology, Vol. 8, No. 3, March, 1983, 347-353.
		JAMES, J.H., et. al., "The use of Opsite, A Vapour Permeable Dressing, on Skin Donor Sites", British Journal of Plastic Surgery (1975), 28, 107-110.
		NAHAS, L.F., et al., "Use of Semipermeable Polyurethane Membrane for Skin Graft Dressings", Plastic and Reconstructive Surgery, June 1981, pp. 791-792.
JL		Edlich, R.F., et al., "Surgical Devices in Wound Healing Management", Wound Healing Biochemical & Clinical Aspects, W.B. Saunders Company, © 1992, pp. 581-599.

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

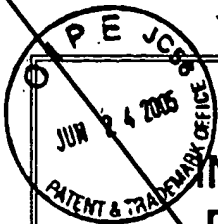
SHEET 2 OF 3

Attorney Docket Number: 0101-P00636US3

JL		ORR, RK, et al., "Early Discharge After Mastectomy. A Safe Way of Diminishing Hospital Cost", Am Surg. 1987 March; 53(3) Abstract.
JL		OTOLARYNGOLOGY, Head and Neck Surgery, The C.V. Mosby Company, © 1986, pp.1716, 1724 and 2521.
JL		OTOLARYNGOLOGY, Volume III, Head and Neck, W.B. Saunders Company, © 1980, pp. 2963.
JL		LORE, JR., J.M., "An Atlas of Head and Neck Surgery", Second Edition, Volume II, W.B. Saunders Company, © 1973.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Letter Brief from BlueSky Medical dated May 31, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs First Letter Brief from Markman hearing dated May 26, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Second Letter Brief from Markman hearing dated May 31, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcription of Videotaped Deposition of Louis C. Argenta, M.D., April 29, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcription of Videotaped Deposition of Michael Allan Batalia, PhD. January 12, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcription of Videotaped Deposition of Michael John Morykwas, PhD. January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Medela AG and Medela, Inc.'s Motion for Leave to Amend Designation of Expert Witnesses dated May 18, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Answer to Defendant Bluesky Medical Group Incorporated's Crossclaim dated June 1, 2005.

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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# INFORMATION DISCLOSURE STATEMENT

SHEET 3 OF 3

*Complete if known*

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

Attorney Docket Number: 0101-P00636US3

	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Answer to Defendant Richard Weston's Counterclaim dated June 1, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Answer to Defendant Medela Inc.'s Amended Counterclaims dated June 1, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Answer to Defendant Medela AG's Amended Counterclaims dated June 1, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Objections and Answers to Medela's Supoena in a Civil Case for Production of Documents and Deposition on Written Questions to Wake Forest University Baptist Medical Center dated June 1, 2005.
1	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela, Inc. and Medela AG's Reply in Support of Motion for Leave to File Amended Answers to Third Amended Complaint, Additional Defenses, Second Amended Counterclaims and Jury Demands dated June 1, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opposition to Medela AG and Medela, Inc.'s Motion for Leave to Amend Designation of Expert Witnesses and Request for Hearing dated June 1, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Objections and Answers to Medela, Inc.'s Supoena in a Civil Case and Deposition on Written Questions to Dr. Joseph Molnar and Dr. Lawrence Webb dated February 24, 2005.

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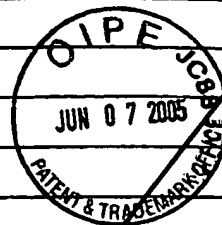
First Named Inventor: Agrenta, et al.

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Examiner Name: Lacyk, J.

Attorney Docket Number: 0101-P00636US3

SHEET 1 OF 1



## UNITED STATES PATENT DOCUMENTS

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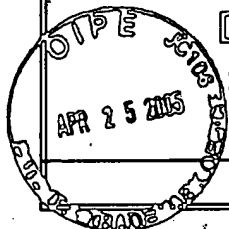
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Markman Presentation of May 12, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Blue Sky Medical Corp.'s Markman Presentation dated May 12, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela Markman Presentation dated May 12, 2005.
		Opposition EP to 0,620,720, Response of Opponent Paul Hartmann AG dated April 25, 2005 (with English translation).

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INFORMATION  
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SHEET 1 OF 1

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Group Art Unit: 3736

Examiner Name: Lacyk, J.

Attorney Docket Number: 0101-P00636US3

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JL		4,773,409	09/27/1988	Cilento, et al.

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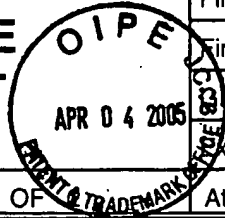
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Reply Brief on Claim Construction dated April 18, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela AG and Medela, Inc.'s Response on Claim Construction dated March 28, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Bluesky Medical Group Incorporated's Opposition Markman Brief Regarding U.S. Patent Nos. 4,969,889 and 5,636,643.
		Opposition EP to 0,620,720, Third Party Observations dated February 16, 2005.

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

SHEET 1 OF

Attorney Docket Number: 0101-P00636US3

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		<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Declaration of Michael J. Morykwas in Support on Plaintiffs' Responsive Claim Construction Brief dated March 24, 2005.</del>
		<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Declaration of Wilson C. Hayes in Support on Plaintiffs' Responsive Claim Construction Brief dated March 25, 2005.</del>
JL		Swearingen, Pamela L., "The Addison Wesley Photo-Atlas of Nursing Procedures -- Administering Medications and Monitoring Fluids -- Managing Gastrointestinal Procedures -- Managing Gastric Tubes, Copyright 1984.

EXAMINER'S SIGNATURE	JL	DATE CONSIDERED	09/08/2006
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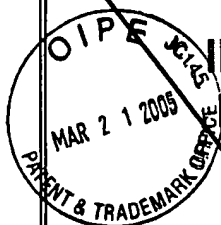
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	Group Art Unit: 3736	
Examiner Name: John P. Lacyk		Attorney Docket Number: 0101-P00636US3
SHEET 2 OF 2		

		<del>Johnson, Frank E., "An Improved Technique for Skin Graft Placement Using A Suction Drain", pp. 585-586.</del>
JL		Dewan, P.A., et al., "An Alternative Approach To Skin Graft Donor Site Dressing", Aust. N.Z. J. Surg. 1986, 56, 509-510.

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Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

SHEET 1 OF 1

Attorney Docket Number: 0101-P00636US3

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

## FOREIGN PATENT DOCUMENTS

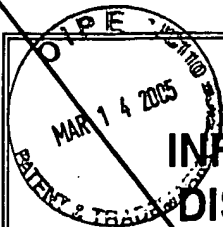
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## OTHER CITATIONS - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Brief on Claim Construction dated March 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Medela AG and Medela, Inc.'s Opening Memorandum Regarding Construction of the Patent Claims dated March 7, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., BlueSky Medical Group Incorporated Opening Markman Brief Regarding U.S. Patent Nos. 4,969,880 and 5,636,643.

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# INFORMATION DISCLOSURE STATEMENT

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Agrenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

SHEET 1 OF 1

Attorney Docket Number: 0101-P00636US3

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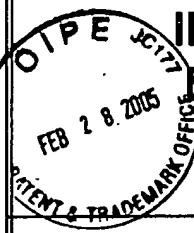
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		Murray, J., et al., "On the Local and General Influence on the Body of Increased and Diminished Atmospheric Pressure", The Lancet, V. 1, 1834-1835, pp. 909-917.
		HERRMANN, L., et al., "The Conservative Treatment of Arteriosclerotic Peripheral Vascular Diseases", pp. 750-760.
		Versatile 1 Wound Vacuum System™ for The Promotion of Wound Healing, Wound Application instructions, 1 page advertisement.
		Bluesky Medical "The Versatile One!™", Wound Drainage and More, 1 page advertisement.
		CHARIKER-JETER® Wound Sealing Kit, Wound Application Instructions, 1 page advertisement.

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	First Named Inventor: Argenta	
	Group Art Unit: 3736	
Examiner Name: John P. Lacyk		
SHEET 1 OF 7		Attorney Docket Number: 0101-P00636US3

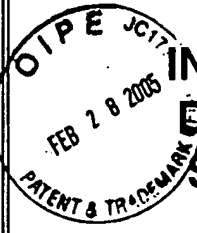
UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
JL		3,115,138	12/24/1963	McElvenny
JL		3,572,340	03/23/1971	Lloyd, et al.
JL		2,025,492	12/24/1935	Aird

FOREIGN PATENT DOCUMENTS					
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of Professor Thomas K. Hunt, M.D., pp. 1-14, January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of Mark Chariker, M.D., pp. 1-8, January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of James Spahn, M.D., pp. 1-6 and Exhibit C pp. 9-10, January 6, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Michael H. Baniak, pp. 1-79 and Exhibit D pp. 1-3 including un-published materials listed therein and Exhibit E pp. 1-5, January 7, 2005.

EXAMINER'S SIGNATURE	/John Lacyk/	DATE CONSIDERED	09/08/2006
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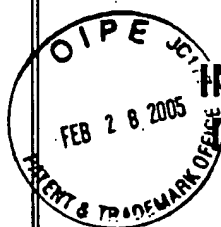
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	Group Art Unit: 3736	
Examiner Name: John P. Lacyk		
SHEET 2 OF 7		Attorney Docket Number: 0101-P00636US3

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First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

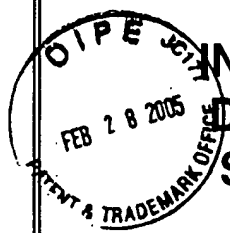
SHEET 3 OF 7

Attorney Docket Number: 0101-P00636US3

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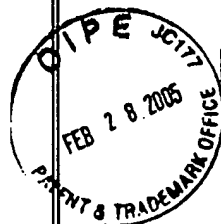
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First Named Inventor: Argenta
Group Art Unit: 3736
Examiner Name: John P. Lacyk
Attorney Docket Number: 0101-P00636US3

SHEET 4 OF 7

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# INFORMATION DISCLOSURE STATEMENT

SHEET 5 OF 7

## Complete If known

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Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

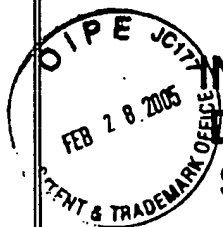
Examiner Name: John P. Lacyk

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SHEET 6 OF 7

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First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

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		<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Dennis P. Orgill, M.D., Ph.D., February 18, 2005.</del>

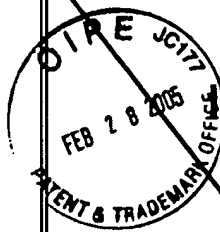
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SHEET 7 OF 7

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Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Rebuttal Expert Report of Wilson C. Haues, Ph.D. In Response to the Report of Michael H. Baniak.

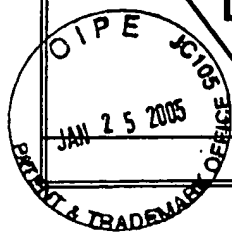
Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of John T. Goolkasian in Rebuttal to Report of Michael H. Baniak.

Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Rebuttal Expert Report of Louis C. Argenta, M.D. to Expert Report of Michael H. Baniak.

EXAMINER'S  
SIGNATURE

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# INFORMATION DISCLOSURE STATEMENT

SHEET 1 OF 1

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

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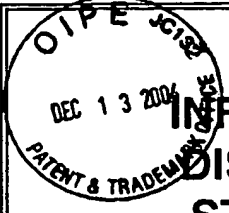
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of Professor Thomas K. Hunt, M.D., pp. 1-14, January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of Mark Chariker, M.D., pp. 1-8, January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of James Spahn, M.D., pp. 1-6 and Exhibit C pp. 9-10, January 6, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Michael H. Baniak, pp. 1-79 and Exhibit D pp. 1-3 and Exhibit E pp. 1-5, January 7, 2005.

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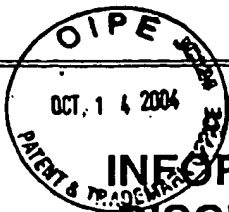
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JL		MORYKWAS, M.J., et al., "Use of Negative Pressure to Increase the Rate of Granulation Tissue Formation in Chronic Open Wounds", The FASEB Journal, Apoptosis and Necrosis (799-800), February 19, 1993.
JL		ORRINGER, J.S., et al., "Management of Wounds in Patients with Complex Enterocutaneous Fistulas", Surgery, Gynecology & Obstetrics, July 1987, Volume 165.
		<del>Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. Dist. Court, W. Dist. of TX San Antonio Div., Report of Katherine F. Jeter, November 28, 2004.</del>
JL		SWEARINGEN, P.L., "The Addison-Wesley Photo-Atlas of Nursing Procedures", 9 pages, ©1984.
JL		MULDER, G.D, et al., Clinicians' Pocket Guide to Chronic Wound Repair, Wound Healing Publications Second Edition, 1992, pp. 1-107.
		<del>Opposition to EP 0,620,720, Appeal of Opponent Paul Hartmann AG, dated September 20, 2004 (with English translation)</del>
		<del>Opposition EP to 0,620,720, Patentee's Grounds of Appeal dated September 20, 2004, 21 pages.</del>
JL		PEACOCK, E.E., Jr., "Wound Repair:, Repair of Skin Wounds, 1984, pp. 172-175.
JL		JETER, KATHERINE F., et al., "Managing Draining Wounds and Fistulae: New and Established Methods", Chronic Wound Care, 1990, pp. 240-246.

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Attorney Docket Number: 0101-P00636US3

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JL		3,978,855	09/07/1976	McRae, et al.

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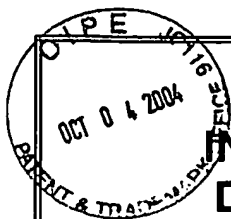
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SHEET 1 OF 7

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JL		5,071,403	12/10/1991	Larason

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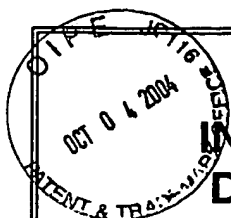
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JL		KOHLMAN, P., et al., "Pouching Procedure To Collect Drainage From Around A Biliary Drainage Catheter", Ostomy/Wound Management, Nov./Dec. 1991, pp. 47-50, V. 37.
JL		ALPER, J., "Recent Advances in Moist Wound Healing", Southern Medical Journal, November 1986, pp. 1398-1404, V. 79, N.11.
		<del>REID, D., "Information on Cupping or Using Suction Cups on Wounds and for Healing Purposes", from Chinese Herbal Medicine (2 pages).</del>
JL		UNTITLED ARTICLE, The Lancet, June 14, 1952, pp. 1175-1176
JL		PUTNEY, F., "The Use of Continuous Negative Pressure After Laryngectomy and Radical Neck Dissection", Surgery, Gynecology & Obstetrics, August 1956, pp. 244-246.
JL		Pleupump MK II, printouts from websites, <a href="http://www.xenamedical.se">www.xenamedical.se</a> and <a href="http://www.landstinget.sormland.se">www.landstinget.sormland.se</a> , August 14, 2001 (12 pages).
JL		BRUMMELKAMP, W., et al., "High-vacuum Drainage and Primary Perineal Wound Closure in Abdominoperineal Excision of the Rectum", The Netherland Journal of Surgery, 1991, pp. 236-239, V. 43, No. 6.

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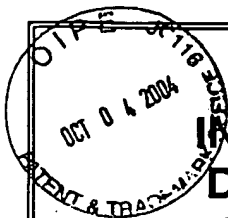
SHEET 2 OF 7

Attorney Docket Number: 0101-P00636US3

		<del>"Wound Suction; Better Drainage With Fewer Problems", Nursing75, October, pp. 52-53.</del>
		<del>GRAMS ASPIRATOR, et al., Grams Medical, catalog pages (3 pages).</del>
		<del>Medela Dominant promotional literature (2 pages of photos).</del>
JL		ENGDAHL, O., et al., "Quantification of Aspirated Air Volume Reduces Treatment Time in Pneumothorax", Eur Respir J., 1990, 3, pp. 649-652.
		<del>Usage Manual Pleurasug TDR (2 pages of diagrams with descriptions).</del>
JL		SPENGLER, M., et al., "Performance of Filtered Sump Wound Drainage Tubes", Surgery, Gynecology & Obstetricsq, March 1982, pp. 333-336, vol. 154.
		HALLSTROM, B., et al., "Postoperative Course After Total Hip Arthroplasty: Wound Drainage Versus No Drainage", Orthopaedic Review, July 1992, pp. 847-851.
		MILES, W., et al., "A Method of Performing Abdominoperineal Excision for Carcinoma of the Rectum and of the Terminal Portion of the Pelvic Colon", The Lancet, Dec. 19, 1908, pp. 1812-1813.
		BENJAMIN, P., "Faeculent Peritonitis: A Complication of Vacuum Drainage", Br. J. Surg., 1980, pp. 453-454, vol. 67.
		SAGI, A., et al., "Burn Hazard From Cupping - An Ancient Universal Medication Still in Practice", Burns, 1988, pp. 323-325, vol. 14, no.4.
		AGRAMA, H., et al., "Functional Longevity of Intraperitoneal Drains", The American Journal of Surgery", Sept. 1976, pp. 418-421, vol. 132.
		MAGEE, C., et al., "Potentiation of Wound Infection by Surgical Drains", The American Journal of Surgery, May 1976, pp. 547-549, vol. 131.
		BIRDSELL, D., et al., "The Theoretically Ideal Donor Site Dressing", Annals of Plastic Surgery, June 1979, pp. 535-537, vol. 2, no. 6.
		CRUSE, P., et al., "A Five-Year Prospective Study of 23,649 Surgical Wounds", Surgical Wounds/Cruse and Foord, Aug. 1973, pp. 206-210, vol. 107.
JL		AUBREY, D., et al., "Treatment of the Perineal Wound After Proctectomy by Intermittent Irrigation", Arch. Surg., Oct. 1984, pp. 1141-1144, vol. 119.

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SHEET 3 OF 7

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Group Art Unit: 3736

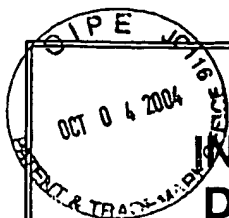
Examiner Name: Lacyk, J.

Attorney Docket Number: 0101-P00636US3

JL		MAYO, C., "The One-Stage Combined Abdominoperineal Resection for Carcinoma of the Rectum, Rectosigmoid and Sigmoid", Surgical Clinics of North America, August 1939, pp. 1011-1019.
		DRAPER, J., "Make the dressing fit the wound", Nursing Times, October 9, 1985, pp. 32-35.
		SCHUMANN, D., et al., "Preoperative Measures to Promote Wound Healing", Nursing Clinics of North America, Dec. 1979, pp. 683-699, vol. 14, no. 4.
		BESST, J., et al., "Wound Healing - Intraoperative Factors", Nursing Clinics of North America, Dec. 1979, pp. 701-711, vol. 14, no. 4.
		COOPER, D., et al., "Postsurgical Nursing Intervention as an Adjunct to Wound Healing", Nursing Clinics of North America, Dec. 1979, pp. 713-725, Nursing Clinics of North America, vol. 14, no. 4
		O'BYRNE, C., "Clinical Detection and Management of Postoperative Wound Sepsis", Nursing Clinics of North America, Dec. 1979, pp. 727-741, vol. 14, no. 4.
		KEITH, C., "Wound Management Following Head and Neck Surgery", Nursing Clinics of North America, Dec. 1979, pp. 761-778, vol. 14, no. 4.
		TENTA, L., et al., "Suction Drainage of Wounds of the Head and Neck", Surgery, Gynecology. & Obstetrics, Dec. 1989, p. 558, vol. 169.
JL		FIRLIT, C., et al., "Surgical Wound Drainage: A Simple Device for Collection", journal of Urology, Aug., 1972, pp. 327, vol. 108.
		<del>MOLONEY, G., "Apposition and Drainage of Large Skin Flaps", Oxford, England, pp. 173-179.</del>
JL		WORTH, M., et al., "The Effectiveness of Bacterial Filtration in Vented Wound Drains", Journal of Surgical Research, 1979, pp. 405-407, 27.
JL		FLYNN, M., et al., "Promoting Wound Healing: Wound Healing Mechanisms", American Journal of Nursing, Oct. 1992, pp. 1544-1558.
		<del>MILES, W., "Technique of the Radical Operation for Cancer of the Rectum", The British Journal of Surgery, 1914-1915, pp. 292-305.</del>

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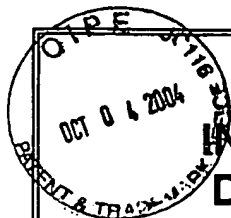
SHEET 4 OF 7

Attorney Docket Number: 0101-P00636US3

JL		HILTON, P., "Surgical Wound Drainage: A Survey of Practices Among Gynaecologists in the British Isles", British Journal of Obstetrics and Gynaecology, Oct. 1988, pp. 1063-1069, vol. 95.
JL		MILSOM, I., et al., "An Evaluation of a Post-Operative Vacuum Drainage System", Current Medical Research and Opinion, 1979, pp. 160-164, vol. 6, no. 2.
JL		FOX, J., et al., "The Use of Drains in Subcutaneous Surgical Procedures", The American Journal of Surgery, Nov. 1976, pp. 673-674, vol. 132.
		<del>HILSABECK, J., "The Presacral Space as a Collector of Fluid Accumulations Following Rectal Anastomosis", American Society of Colon and Rectal Surgeons, Oct., pp. 680-684, vol. 25, no. 7.</del>
JL		HILTEN, L., et al., "Primary Closure of Perineal Wound After Proctocolectomy or Rectal Excision", Acta Chir Scand 137, 1971, pp. 467-469.
JL		LANDES, R., "An Improved Suction Device for Draining Wounds", Arch. Surg., May 1972, pp. 707, vol. 104.
JL		HUGH, T., "Abdominal Wound Drainage", The Medical Journal of Australia, May 4, 1987, pp. 505.
		<del>EISENBUD, D., "Modern Wound Management", Adadem Publishing, pp. 109-116.</del>
JL		EAGLSTEIN, W., et al., "Wound Dressings: Current and Future", Clinical and Experimental Approaches to Dermal and Epidermal Repair; Normal and Chronic Wounds, Progress in Clinical and Biological Research, vol. 365, © 1991 Wiley-Liss, Inc., pp. 257-265.
JL		BRUNO, P., "The Nature of Wound Healing", Nursing Clinics of North America, Dec. 1979, pp. 667-681, vol. 14, no. 4.
JL		BAR-EL, Y., et al., "Potentially Dangerous Negative Intrapleural Pressures Generated by Ordinary Pleural Drainage Systems", Chest, Feb. 2001, pp. 511-514, vol. 119, no. 2.
JL		AGARWALA, S., et al., "Use of Mini-Vacuum Drains in Small Surgical Wounds", Plastic and Reconstructive Surgery, April 1998, pp. 1421-1422, vol. 101, n. 5.
JL		NASSER, A., "The Use of the Mini-Flap Wound Suction Drain in Maxillofacial Surgery", Annals of the Royal College of Surgeons of England, 1986, pp. 151-153, vol. 68.

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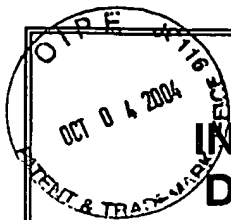
Examiner Name: Lacyk, J.

Attorney Docket Number: 0101-P00636US3

		<del>HALSTEAD, W., "Dead Space" and "Drainage", Fundamentals of Wound Management, pp. 416-447.</del>
JL		LUMLEY, J., et al., "The Physical and bacteriological Properties of Disposable and Non-Disposable Suction Drainage Units in the Laboratory", Br. J. Surg, 1974, pp. 832-837, vol. 61.
JL		BRITTON, B., et al., "A Comparison Between Disposable and Non-disposable Suction Drainage Units: A Report of a Controlled Trial", Br. J. Surg., 1979, pp. 279-280, vol. 66.
		<del>"Usage Manual Pleurasug TDR", 2 pages, diagrams with descriptions.</del>
		<del>MCFARLANE, R., "The use of Continuous Suction Under Skin Flaps", British Journal of Plastic Surgery, pp. 77-86.</del>
JL		FAY, M., "Drainage Systems: Their Role in Wound Healing", AORN Journal, Sept. 1987, pp. 442-451, vol. 46, no. 3.
		<del>TAYLOR, V., "Meeting the Challenge of Fistulas &amp; Draining Wounds", Nursing80, June, pp. 45-51.</del>
JL		ORGILL, D., "Curent Concepts and Approaches to Would Healing", Critical Care Medicine, Sept. 1988, pp. 899-908, vol. 16, no. 9.
		<del>Part III. Resolving Selected Clinical Dilemmas, pp. 17-20.</del>
JL		"Making Sense of Wound Drainage", Nursing Times, July 5, 1989, pp. 40-42, vol. 85, no. 27.
		<del>Manual electric Breastpump, Catalog pages (4 pages), diagrams and descriptions.</del>
JL		HARKISS, K., "Leg Ulcers Cheaper in the Long Run", Community Outlook, August 1985, pp. 19, 21, 22, 24 & 26
JL		WESTABY, S. (Editor), "Wound Care No. 43; Which Dressing and Why", Nursing Times July 21, 1982, pp. 41-44.
		<del>OpSite Wound Dressings, "Do Your Pressure Sore Dressings Shape Up to the OpSite Standard", 2 pages of advertisements.</del>
		<del>Dow Corning Silastic® Foam Dressing. A New Concept in the Management of Open Granulating Wounds, 2 pages of advertisements.</del>

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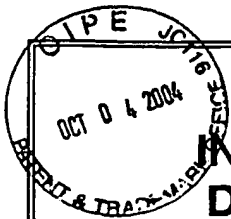
SHEET 6 OF 7

Attorney Docket Number: 0101-P00636US3

JL		COBB, J., "Why Use Drains", The Journal of Bone and Joint Surgery, Nov. 1990, pp. 993-995, vol. 72-B, no. 6.
JL		GARCIA-RINALDI, R., "Improving the Efficiency of Wound Drainage Catheters", the Journal of Surgery, Sept. 1975, pp. 372-373, vol. 130.
		<del>PLEURx Pleural Catheter, Denver Biomedical, 4 pages of brochure.</del>
JL		SILVIS, R., et al., "The Use of Continuous Suction Negative Pressure Instead of Pressure Dressing", Annals of Surgery, Aug. 1955, pp. 252-256, vol. 1142, no.2.
JL		VAN WAY, C., "Prevention of Suction-Induced Gastric Mucosal Damage in Dogs", Gastric Suction, 1987, pp. 774-777, vol. 15, no. 8.
		<del>MOSEROVA, J., "The Healing and Treatment of Skin Defects", pp. 116-131, 134-135, 138-143.</del>
		<del>RABKIN, J., et al., "Infection and Oxygen", Problem Wounds: The Role of Oxygen", pp. 1-15.</del>
		<del>Paradise Valley Hospital, The Center for Wound Healing and Hyperbaric Medicine, 3 pages of brochure.</del>
		<del>DuoDERM Hydroactive™ Dressing, "In wound management - Now, a proven environment for fast healing", 1 page advertisement.</del>
		<del>Howmedica porto-vac®, "Gentle, Steady Wound Drainage", 1 page advertisement.</del>
		<del>Silicone from CUI (Cox Uphoff International), "Flexability", 1 page advertisement.</del>
JL		CURTIN, L., "Wound Management: Care and Cost - An Overview", Nursing Management, Feb. 1984, pp. 22-25, vol. 15.
		<del>GRABOWSKI, S., "Leczenie ran z zastosowaniem podciśnienia", German article, pp. 19-21.</del>
JL		ROYLE, G., et al., "Disposable Drains", Annals of the Royal College of Surgery of England, 1984, 1 page, vol. 66.
JL		MEEHAN, P., "Open Abdominal Wounds: A Creative Approach to a Challenging Problem", Pregressions, 1992, pp. 3-11, vol. 4, no. 2.
JL		STANSBY, G., et al., "Vacuum Drainage of Groin Wounds After Vascular Surgery", Br. J. Surg., Oct. 1990, pp. 1194-1195, vol. 77, no. 10.

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Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta, et al.

Group Art Unit: 3736

Examiner Name: Lacyk, J.

SHEET 7 OF 7

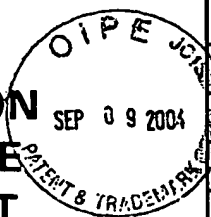
Attorney Docket Number: 0101-P00636US3

JL	EDLICH, R., et al., "Evaluation of a New, Improved Surgical Drainage System", The American Journal of Surgery, Feb. 1985, pp. 295-298, vol. 149.
JL	BROADER, J., et al., "Management of the Pelvic Space After Proctectomy", Br. J. Surg., 1974, pp. 94-97, vol. 61.
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JL	AYOUB, M., et al., "A study of cutaneous and intracompartmental limb pressures associated with the combined use of tourniquets and plaster casts", May 1986, pp. 497, vol. 68-B, no. 3.
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JL	HOLLIS, H., et al., "A Practical Approach to Wound Care in Patients With Complex Enterocutaneous Fistulas", Surgery, Gynecology & Obstetrics, Aug. 1985, pp. 179-181, vol. 161.
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SHEET 1 OF 3

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## **UNITED STATES PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
JL		774,529	11/08/1904	Nieschang
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		4,224,941	09/30/1980	Stivala
		4,465,062	08/14/1984	Versaggi, et al.
		4,569,674	02/11/1986	Phillips, et al.
		4,655,754	04/07/1987	Richmond, et al.
		4,661,093	04/28/1987	Beck, et al.
JL		4,717,382	01/05/1988	Clemens, et al.

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## **OTHER PRIOR ART - NON-PATENT DOCUMENTS**

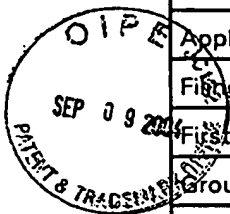
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		3M™, Tegaderm Family of Transparent Dressings for Chronic Wounds, pp. 1-8.
JL		ALPER, Joseph C., et al., "The In Vitro Response of Fibroblasts to the Fluid that Accumulates Under a Vapor-Permeable Membrane". Journal of Investigative Dermatology, 84:513-515, 1985.

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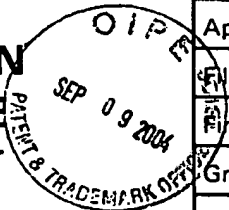
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JL		LEWIS, R.T., "Knitted Polypropylene (Marlex) Mesh in the Repair of Incisional Hernias", The Canadian Journal of Surgery, Vol. 27, No.2, March 1984, pp. 155-157.
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		<del>Microtek Medical, Inc. "The Microtek Complete Closed Wound Drainage System", 6 pages.</del>
		<del>ROVVE, David T., et al., "Effect of Local Wound Environment on Epidermal Healing", Dept. of Skin Biology, Johnson &amp; Johnson Research, New Brunswick, NJ, pp. 169-181.</del>
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		<del>TURNER, T.D., "Recent Advances in Wound Management Products", pp. 2-16</del>

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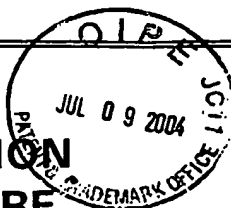
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		<del>TURNER, T.D., "The Development of Wound Management Products", Chronic Wound Care, pp. 31-46.</del>
JL		TURNER, T.D., et al., "Wound Management Product Selection", Journal of Sterile Services Management, April 1985, pp. 3-6.
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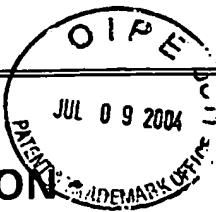
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		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Plaintiff's Original Complaint dated August 28, 2003.
		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Plaintiffs' First Amended Complaint dated September 08, 2003.
		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Defendant BlueSky Medical Corporation's Original Answer to Plaintiff's First Amended Complaint dated September 30, 2003.
		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Answer, Additional Defenses, Counterclaims and Jury Demand of Medela, Inc. (Response due: 10/27/03 - 20 days after service) dated October 06, 2003.
		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Plaintiff's Reply to Defendant BlueSky Medical Corporation's Counterclaim dated October 23, 2003.
		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Summary of Appendix in Support of Medela AG's Motion to Dismiss for Lack of Personal Jurisdiction or, Alternatively, to Dismiss for Failure to State a Claim and for Partial Summary Judgment dated October 24, 2003.
		Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Original Answer of Defendant Patient Care Systems, Inc., dated October 7, 2003.

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SHEET 2 OF 2

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Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Medela AG's Motion to Dismiss for Lack of Personal Jurisdiction or Alternatively, to Dismiss for Failure to State a Claim and For Partial Summary Judgment dated October 24, 2003. ✓

Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Plaintiff's Reply to Defendant Medela, Inc.'s Counterclaim dated October 27, 2003.

Kinetic Concepts, Inc., et al. vs. Bluesky Medical Corporation, et al.; Civil Action No. SA 03 CA 0832: Plaintiff's Response to Medela AG's Motion to Dismiss for Lack of Personal Jurisdiction, Motion to Dismiss for Failure to State a Claim, and Motion for Partial Summary Judgment, dated November 10, 2003. ✓

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JL		2003/101385	WO	12/11/2003	
JL		0688189	EUROPE	06/09/1900	

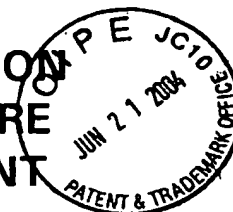
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JL		Avery, C., et al., "Negative pressure wound dressing of the radial forearm donor site", International Journal of Oral Maxillofacial Surgery, 2000; 29, pgs. 198-200.
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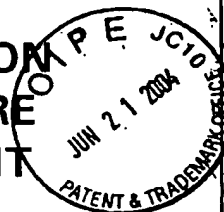
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JL		de Lange, M.Y., et al., "Vacuum-assisted closure: indications and clinical experience", Eur J Plast Surg (2000) 23:178-182.
		Deva, Anand, K., et al., "Topical negative pressure in wound management", MJA, Vo. 173, pgs. 128-131, August 7, 2000.
		Elwood, Eric T., et al., "Negative-Pressure Dressings in the Treatment of Hidradenitis Suppurativa", Ann Plast Surgery January 2001; 46:49-51.
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JL		Kovacs, Laszlo H., MD, "Necrotizing Fasciitis", Annals of Plastic Surgery, Vol. 47, No. 6, December 2001, pgs. 680-682.
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JL		Interlocutory decisions in Opposition proceedings (Wake Forest - Argenta, et al.) dated April 19, 2004.

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JL	C1	No-Wound is Too Big For Resourceful Nurses; Margaret Woodling-Scott et al., RN, Dec. 1988, 22-25.
	C2	Pathenogenic mechanism of the effect of vacuum therapy on the course of the wound process; Davydov, et al, Khirurgiia, June 1990 (with English translation).
	C3	Vacuum Therapy in the Treatment of Suppurative Lactation Mastitis; Davydov, et al., Vestn. Khir., Nov. 1986 (with English translation).
	C4	Bacteriological and cytological evaluation of the vacuum therapy of suppurative wounds; Davydov, et al. Vestn. Khir., Oct. 1998 (with English translation).
	C5	Basis of the use of forced early secondary suture in the treatment of suppurative wounds by the vacuum therapy method; Davydov, et al., Vestn. Khir. Mar. 1990 (with English translation).
JL	C6	Vacuum therapy of some skin diseases; Borzov, et al., Vestn. Dermatol. Venerol., Aug. 1965 (with English translation).

EXAMINER'S SIGNATURE	/John Lacky/	DATE CONSIDERED	09/07/2006
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 5609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

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